SUBJECT No. 43.

Stamp papers for furnishing copies.

Mr. C. Krishnamurti, Law Association, Bangalore.

Summary of discussion.—The paper system for furnishing copies may be introduced as in Madras, as it would obviate the difficulty in counting the number of words to be paid for, etc. Mr. Raghavachar, however, spoke against the proposal, and instanced the case of copies of short documents for which also a minimum fee —perhaps two or three annas—would have to be paid.

Reply of Government.—The system obtaining in Bengal will be enquired into and the question of introducing the paper system without a fixed copying establishment and with, if necessary, a lower unit for calculating costs will be considered in consultation with the Chief Court.

SUBJECT No. 44.

Grant of authenticated copies of records without affixing stamps.

Mr. Lingappa, Harihar Sub-Taluk.

Summary of discussion.—Authenticated copies of civil, revenue and criminal records may be ordered to be given on plain paper. If the party taking such copies desires to present them in a court, he may be required to affix the necessary stamps to the said copies before they are admitted in the court. This practice will put an end to the present difficulty in obtaining a second set of copies. Further, the Government does not lose its stamp revenue. This procedure is in force in the Bombay Presidency.

Reply of Government.—Proposals for new rules are awaited from the Chief Court.

SUBJECT No. 45.

One-anna court fee stamps for application for the return of documents.

Mr. C. Krishnamurti, Law Association, Bangalore.

Summary of discussion.—A uniform fee of one anna may be levied on applications for return of documents in all civil and criminal cases.

Reply of Government.—The matter is under consideration and will be expedited.

SUBJECT No. 46.

Preservation of records in civil cases.

Messrs. C. Subba Rao, Shimoga Municipality, and S. R. Balakrishna Rao, Nagar Sabha.

Summary of discussion.—The periods now prescribed for the preservation of the various records in civil cases are very short. Vernacular depositions of witnesses, exhibits, written statements filed by the parties, attachment lists and sale certificates may be allowed to be preserved for a longer period, say about 30 years.

Mr. Balakrishna Rao, speaking on the above representation, requested that before the Government adopted the new rules said to have been sent up by the Chief Court, the Law Associations might be consulted.

Reply of Government.—This will be done.

SUBJECT No. 47.

Permanent preservation of certain documents produced in courts.

Mr. N. D. Venkataramaiya, Hole-Narsipur Taluk.

Summary of discussion.—In the course of judicial enquiry many documents are produced before courts. Of these, some require permanent preservation. After the disposal of cases these are included among those to be destroyed after three years. As such practice leads to great inconvenience and loss to parties, it is prayed that under heading (1) on the facing sheet of judicial records these documents be shown as for permanent preservation.

Reply of Government.—This subject is connected with the last one and the member may communicate his views to the Law Associations in the State, which will be consulted in the matter.

SUBJECT No. 48.

Arrangement of the civil court records.

Mr. H. Gundappa, Kunigal Taluk.

Summary of discussion.—The new system of arranging the civil court records according to the date of final order causes considerable inconvenience. It is requested that the old method of having them arranged in the order of numbers of cases be revived.

Mr. C. Krishnamurti pointed out the difficulties involved in the new method of arranging civil court records according to the date of disposal.

Reply of Government.—The Chief Court are going to direct that the court staff shall note the date of disposal on the application for copies where this information is not furnished by the party himself. The matter is under the consideration of the Chief Court in connection with the revision of copying rules.

SUBJECT No. 49.

Records of munsiffs' courts to be sent to central records at the end of a year after disposal.

Messrs. K. Krishnachar, Seringapatam Taluk; and H. Gundappa, Kunigal Taluk.

Summary of discussion.—It was the old practice to detain records in the respective munsiffs' courts until the end of one year after the disposal of cases. But latterly the period of detention has been reduced to three months and this hinders the early return of exhibits to the parties when they apply for them, the getting of copies by parties as soon as they want them and the speedy reference to those records in the disposal of other cases; so the old practice may be revived.

Reply of Government.—The matter will be referred to the Chief Court to see if the old rule fixing the period as six months for all courts cannot be revived.

SUBJECT No. 50.

Judicial deposits and minors.

Mr. Singri Nanjappa, Tumkur District Board.

Summary of discussion.—Amounts decreed in civil courts on behalf of minors are kept in judicial deposit and for some reason or other it so happens that it cannot be claimed for a long time. It is urged that in such cases the amounts may be transferred to the accounts of the State Savings Bank and interest allowed on the deposit for the benefit of the minors concerned.

Reply of Government.—Will be considered in consultation with the Chief Court and the Financial Department.

SUBJECT No. 51.

Prevention of usurious rate of interest.

(1) Messrs. Venkatsamaiya, E. Rama Rao and Padmanna, Nanjangud Taluk.
(2) Messrs. Krishnachar, Goribidnur Taluk; and Subbarayappa, Chikballapur Taluk.

Summary of discussion.—As many persons are ruined by the usurious rate of interest charged by money-lenders, courts should be authorized to refuse all claims for interest exceeding 12 per cent.

When people are in difficulties, they borrow money sometimes promising to pay Re. 0-8-0 a week for Rs. 20. This enables the merciless money-lenders to harass and ruin the debtors. An order may be passed